

Natural Gas Pipeline Safety Seminar

Conway, Arkansas
August 3 & 4, 2004

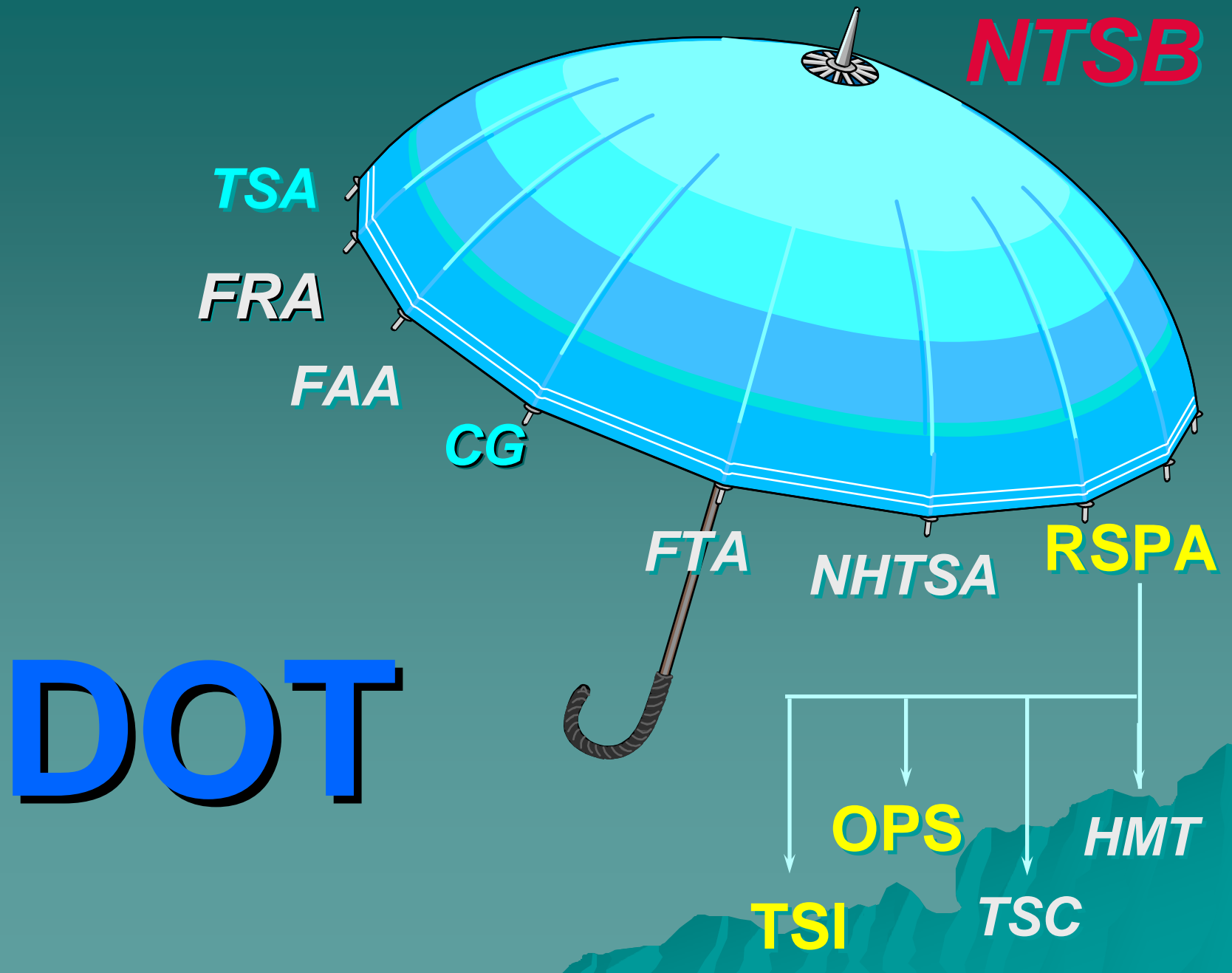
***Arkansas Public Service
Commission***
Transportation Safety Institute

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Pipeline Safety Websites

tsi.dot.gov

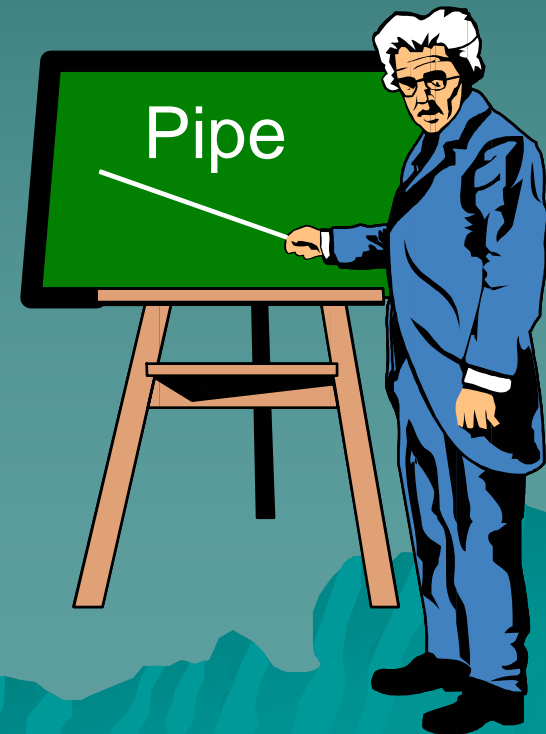
ops.dot.gov

primis.rspa.dot.gov

TSI Pipeline Safety Division

Provides Training for:


- ◆ State and Federal Pipeline Inspectors
- ◆ Industry Personnel
- ◆ International Info Sharing



Office of Pipeline Safety


- ◆ Strategic Plans & Assessment
 - ◆ Technology & Standards
 - ◆ Monitoring State Programs
 - ◆ Compliance
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OPS Priorities & Issues

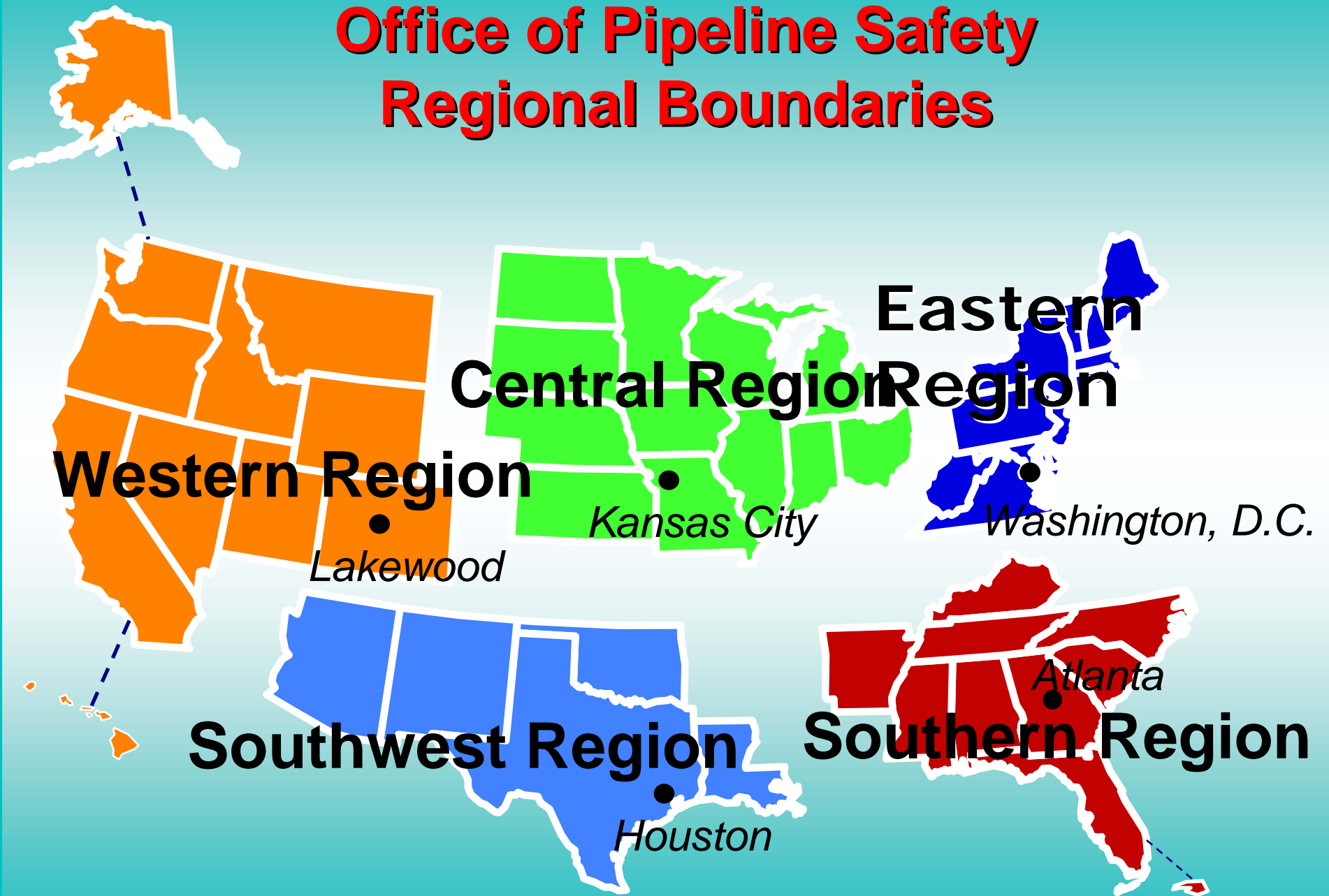
- ◆ Integrity Management of Pipelines
 - Inspection & Enforcement of Liquid Pipelines (Large/Small)
 - Final Rule & Inspection for Gas Transmission Pipelines
 - ◆ Clarification Of Operator Qualification Issues
 - ◆ Pipeline Security Issues
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OPS Priorities & Issues

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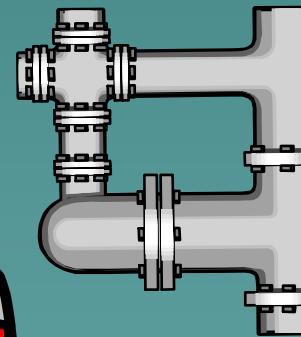
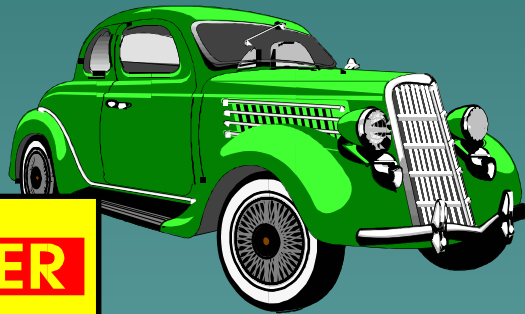
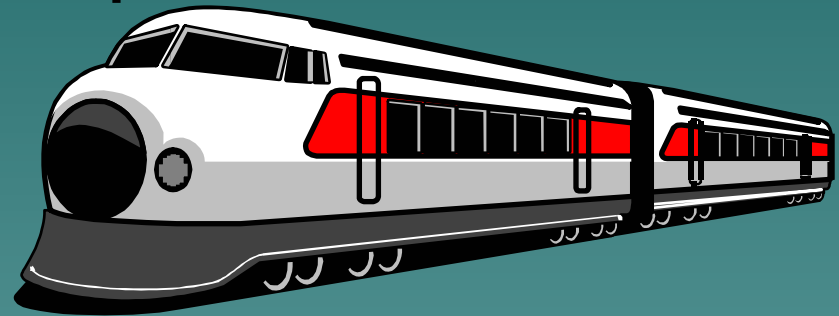
- ◆ Re-Define Gathering Line
 - ◆ Research & Development Projects
 - ◆ Improved Public Awareness & Communications
 - ◆ Relationships Between OPS/State Agencies
- 
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Office of Pipeline Safety Regional Boundaries



Act of July 5, 1994

Combined all Transportation Acts
into One



Pipeline Safety Law

- ◆ Replaced the:


- Natural Gas Pipeline Safety Act
- Hazardous Liquid Pipeline Safety Act

- ◆ Establishes the Laws and Authority for the Safety of Pipelines


Pipeline Safety Law

- ◆ The Pipeline Safety Improvement Act of 2002
- ◆ Signed Into Law
December 17, 2002

Pipeline Safety Law

- ~ Authorizes Funding Levels for OPS & State Agencies Through FY06 & Continues Role of State Agents
 - ~ Increases Dollar Amounts for Civil Penalties (\$100K/\$1 M)
 - ~ Specifically Requires Integrity Management Programs
 - ~ Updates Provisions and Requirements Regarding One-Call Programs
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Pipeline Safety Law

- ~ Periodic Review of Public Education Programs & Submittal to Regulatory Agencies
 - ~ Pipeline Safety Grants to Communities
 - ~ Verification Requirements for Operator Qualification Programs
 - ~ Updated Pipeline Mapping Requirements Based on Security Constraints
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Jurisdictions

◆ Interstate

◆ Intrastate



State Programs

Section 60105 - State Certifications

◆ Adopted:

- ▶ Pipeline Safety Regulations
as a minimum
- ▶ Enforcement Authority

Pipeline Safety Law



Compliance

Section 60118

- ◆ Operator shall:
 - **Comply with Applicable Safety Standards**
 - **Prepare and Follow an O&M Plan**
 - **Maintain Records Required by the Safety Standards**


Pipeline Safety Law

Developing A Regulation

Petitions (ideas) submitted by:

- ◆ Industry Organizations or Operators
 - ◆ Government
 - ◆ Public
 - ◆ Congress
- 
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Rulemaking Process

- ◆ Petition (idea) received
 - ◆ NPRM (or ANPRM) drafted
 - ◆ Internal review
 - ◆ NPRM Published in Federal Register
 - ◆ Comment period (normally 60 days)
 - ◆ Public hearing or meeting (optional)
 - ◆ Final Rule (FR) drafted
 - ◆ Review & clearance thru RSPA
 - ◆ Coordination thru OMB (if required)
 - ◆ Published in Federal Register
- 

Rulemaking Process

- ◆ Process may take months or years
- ◆ Affected parties encouraged to comment
- ◆ Preamble(s) are integral to NPRM and FR, but not enforceable
- ◆ DFR (direct final rule) process for non-controversial rules ~ six months or less

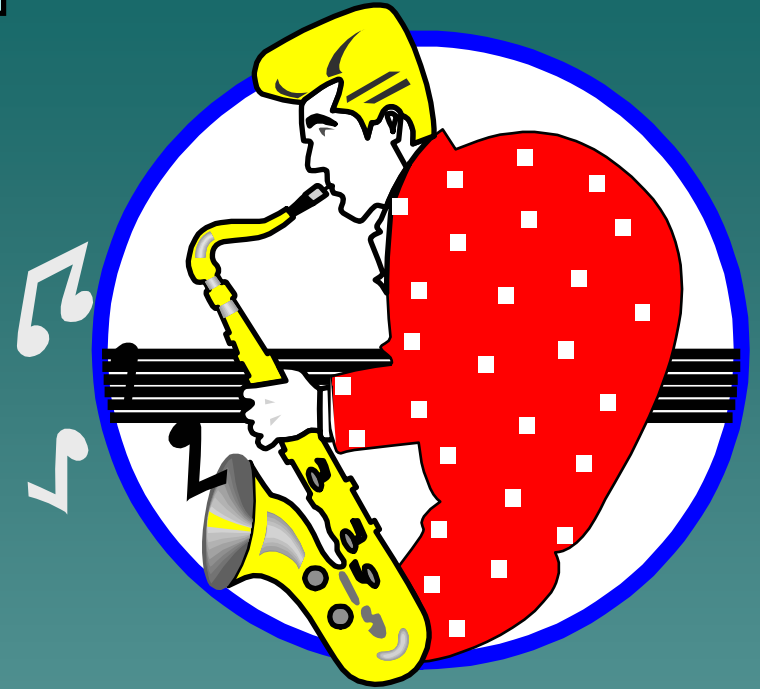
Rulemaking Process

- ◆ May comment electronically
- ◆ www.regulations.gov
- ◆ Use "GO" button in upper right to select DOT, then RSPA
- ◆ Only applies to Open Dockets

Two Types of Regulations



No Smoking




Specification

VS.

Performance

Specification Regulations

Advantages:

- ◆ Easy to Determine Compliance
 - ◆ Easy to Determine a Course of Action
 - ◆ Uniformity of Means of Compliance
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Specification Regulations



Disadvantages

- ◆ Do Not Specify Level of Safety
- ◆ Do Not Allow for Variations in Environment, Operating, or Physical Characteristics
- ◆ May Require Unnecessary Cost
- ◆ Do Not Encourage Technology

Performance Regulations

Advantages

- ◆ Allow for Adaptation to an Individual Situation
- ◆ Encourage Development of New Equipment
- ◆ Allow Economical Solutions to Achieve the Desired Level of Safety
- ◆ Promote Safety and Not the Letter of the Law

Performance Regulations

Disadvantages

- ◆ Difficult to Determine Compliance
- ◆ Some operators may not understand exactly what is required, and attempts to comply may result in problems that could jeopardize safety



Regulation Construction

◆ **Part** ~ 192 (193, 195, etc.)

◆ **Subpart (192)** ~ A thru O

◆ **Section** ~ 192.1 - 192.809

◆ **Paragraph** ~ a, b, c, d, etc.

◆ **Subparagraph** ~ 1, 2, 3, etc.



Waivers

Section 60118 of Law

Operator can be Waived
from Compliance with a
Safety Standard



Intrastate - Petition to State

Interstate - Petition to
Regional Office

Waiver Concerns

- ◆ Not a way to "skirt" the law
- ◆ Not always timely
- ◆ Inconsistencies among states, states/OPS, and OPS
- ◆ No central database
- ◆ OPS has not always stated reasons for acceptance/rejection
- ◆ Not widely used by industry



The End